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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**
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6 IN THE MATTER OF ENFORCEMENT)
7 ACTION AGAINST)
8 WALTER MAZNA)
9 Respondent.)
_____)

PDC CASE NO.: 01-471

FINAL ORDER IMPOSING FINE

10 The Washington State Public Disclosure Commission (Commission) conducted an
11 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
12 August 28, 2001.

13 The Commission held the hearing in Room 206 of the Evergreen Plaza Building,
14 711 Capitol Way South, in Olympia, Washington to determine if the Respondent violated
15 RCW 42.17.240 by failing to properly file an F-1 report due on or before April 16, 2001.
16 The Respondent was properly notified of the hearing by letter dated August 7, 2001 and
17 submitted materials which the Commission considered at the time of hearing. The
18 Commission's Enforcement Staff (Staff) appeared through Philip Stutzman, Director of
19 Compliance.
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21 The Commission considered the Notice of Administrative Charges and its
22 incorporated exhibits. The Notice of Administrative Charges and exhibits are incorporated
23 by reference into this Order. The Commission heard oral argument by Staff.
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1 Based on this record, the Commission finds that

- 2 1) The Respondent is a Commissioner of Clark County Fire District No. 14.
- 3 2) The Respondent was required to file a Statement of Financial Affairs (PDC Form
- 4 F-1) by April 16, 2001.
- 5 3) The Respondent failed to file the F-1 Report by April 16, 2001.
- 6 4) The Respondent failed to timely file an F-1 Report in 2000 and was assessed a
- 7 penalty in Case No. 01-084 of \$500 by order entered December 11, 2000. The
- 8 Respondent paid \$50 of the penalty, leaving an unpaid balance of \$450.
- 9 5) The Respondent failed to file an F-1 Report when he became a candidate in 1999
- 10 and was assessed a penalty in Case No. 00-605 of \$500 by order entered January 14,
- 11 2000, which he failed to pay.
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14 Based on the findings of fact, the Commission concludes that the Respondent violated
15 RCW 42.17.240 by failing to file the F-1 Report by April 16, 2001.

16 **The Commission ORDERS that the Respondent is assessed a civil penalty of**
17 **\$500. \$250 is suspended on the condition the Respondent commits no further**
18 **violations of RCW 42.17 for a period of 4 years from the date of this order. IT IS**
19 **FURTHER ORDERED that if the \$250 non-suspended portion of the penalty together**
20 **with the \$450 unpaid penalty in Case No. 01-084 and the \$500 penalty assessed in Case**
21 **No. 00-605 are not paid within 30 days of the date of this order, the unpaid penalties**
22 **totaling \$1,200 will be turned over to the Office of the Attorney General for collection.**

24 Any party may ask the Commission to reconsider this final order. Parties must
25 place their requests for reconsideration in writing, include the specific grounds or reasons
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1 for the request, and deliver the request to the office of the Public Disclosure Commission
2 within 10 days of the date that the Commission serves this order upon the party.

3 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
4 Commission is subject to judicial review under the Administrative Procedures Act, chapter
5 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
6 with the superior court in Thurston County or the petitioner's county of residence or
7 principal place of business. The petition for judicial review must be served on the Public
8 Disclosure Commission and any other parties within 30 days of the date that the Public
9 Disclosure Commission serves this final order on the parties.
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11 If reconsideration is properly sought, the petition for judicial review must be served
12 on the Public Disclosure Commission and any other parties within 30 days after the
13 Commission acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the
14 Public Disclosure Commission is deemed to have denied the petition for reconsideration if,
15 within twenty days from the date the petition is filed, the agency does not either dispose of
16 the petition or serve the parties with written notice specifying the date by which it will act
17 on the petition. Pursuant to RCW 34.05.470(5), the Respondent is not required to ask the
18 Public Disclosure Commission to reconsider the final order before seeking judicial review
19 by a superior court.
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The Commission will seek to enforce this final order in superior court under RCW 42.17.395 - .397, and recover legal costs and attorney's fees, if the penalty remains unpaid and no petition for judicial review has been filed under chapter 34.05 RCW. This action will be taken without further order by the Commission.

DATED this 31st day of August, 2001.

/s/
VICKI RIPPIE, Executive Director